

Message Text

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PAGE 01 OTTAWA 03325 092036Z

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ACTION EB-03

INFO OCT-01 EUR-10 ISO-00 CAB-01 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 L-02 H-01 DRC-01

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 4727

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E.O. 11652: N/A

TAGS: EAIR, CA

SUBJ: CIVAIR: MANHATTAN AIRLINES - CONGRESSIONAL INTEREST

1. SYRACUSE OFFICE OF CONGRESSMAN HANLEY CALLED EMBASSY OCTOBER 8 FOR ASSISTANCE IN CONNECTION WITH DIFFICULTIES EXPERIENCED BY MANHATTAN AIRLINES IN OBTAINING CANADIAN CLASS 9-3 (UNIT TOLL OR IRREGULAR SCHEDULE SERVICE) LICENSE TO OPERATE SYRACUSE-TORONTO-MONTREAL, WITHOUT CABOTAGE. MANHATTAN WAS DESIGNATED BY USG UNDER NONSCHEDULED AGREEMENT ON MAY 9 (STATE 092983). RICHARD BURKE, PRESIDENT OF THE CARRIER, WAS AT CONGRESSMAN'S OFFICE AND FILLED IN TCO PERSONALLY ON HIS DIFFICULTIES. HE INDICATED HE HAD FOR SOME YEARS HELD A CLASS 9-4 (CHARTER) LICENSE AND WAS CONTINUING TO OPERATE UNDER IT WITHOUT ANY PROBLEMS; BUT NEITHER HE NOR HIS OTTAWA ATTORNEY COULD GET ANY INDICATION AS TO WHEN THE 9-3 LICENSE WOULD BE ISSUED BY AIR TRANSPORT COMMITTEE (ATC) ALTHOUGH THEY HAD RECEIVED STAFF ASSURANCES THAT THERE WAS NO SUBSTANTIVE PROBLEM.

2. TCO IMMEDIATELY DISCUSSED CASE WITH ATC STAFF MEMBER WHO ADVISED THAT ONLY BUREAUCRATIC RED TAPE STOOD IN WAY OF ISSUANCE OF LICENSE. EVEN THOUGH OPERATIONS WOULD BE WITH SMALL AIRCRAFT, SINCE SERVICE WOULD BE OF NON-CHARTER

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PAGE 02 OTTAWA 03325 092036Z

NATURE, VARIOUS PROCEDURAL STEPS ARE NECESSARY. THESE

INVOLVE ADVERTISING THE APPLICATION, ECONOMIC ANALYSIS OF PROPOSED ROUTE, RATE AND FARE APPROVAL, AND LEGAL REVIEW IN RELATION TO BILATERAL. APPLICATION HAD BEEN ADVERTISED AND NO OBJECTIONS SURFACED DURING 30-DAY NOTICE PERIOD, BUT OTHER STEPS HAD NOT BEEN COMPLETED. CONSEQUENTLY, LICENSE APPLICATION WAS NOT READY FOR SCHEDULING ON ATC AGENDA. HE COULD GIVE NO ASSURANCE AS TO WHEN THESE STEPS WOULD BE COMPLETED EXCEPT TO POINT OUT THAT A SIMILAR CASE NOT TOO LONG AGO, INVOLVING BOSTON-MONTREAL SERVICE BY ANOTHER US COMMUTER AIRLINE, TOOK ALMOST 18 MONTHS FROM TIME OF APPLICATION. LIMITED ATC STAFF RESOURCES IN HIS VIEW CAUSED THESE DELAYS. HOWEVER, HE ASSURED TCO THAT APPLICATION WAS PROCEEDING IN A NORMAL MANNER.

3. TCO CALLED BACK CONGRESSMAN'S OFFICE AND ADVISED BURKE OF THIS REPORT WHICH LATTER AGREED WAS SIMILAR TO INFORMATION HE HAD RECEIVED FROM HIS LAWYER. SINCE BURKE INDICATED AN INTEREST IN SOME ACTION BEING TAKEN TO EXPEDITE CONSIDERATION OF HIS APPLICATION, TCO SUGGESTED HE WRITE STYLES (EB/OA/AN) EXPLAINING SITUATION AND PROVIDING COPIES OF ALL CORRESPONDENCE INVOLVING APPLICATION.

4. COMMENT: IN COURSE OF CONVERSATION WITH ATC STAFF MEMBER TCO LEARNED THAT NO LICENSES HAVE YET BEEN ISSUED TO US CARRIERS UNDER NONSCHEDULED SERVICES AGREEMENT. APPROXIMATELY 400 APPLICATIONS ARE ON FILE. THOSE WHO HELD LICENSES PRIOR TO SIGNING OF THE BILATERAL HAVE, OF COURSE, NO PROBLEM; THEY CAN CONTINUE TO OPERATE UNDER OLD LICENSES. HOWEVER, THERE ARE ABOUT 50 NEW APPLICANTS FOR 9-4 LICENSES AND APPROXIMATELY 6 APPLICATIONS FOR NEW 9-3 LICENSES (PRESUMABLY UNDER SCHEDULED SERVICES BILATERAL), AND THESE APPLICATIONS ARE MOVING AS SLOWLY AS THAT OF MANHATTAN AIRLINES. PORTER

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Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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